AMENDMENTS TO THE CLAIMS

Please amend the claims as follows.

1. (Original) A device for telephone countermeasure during driving, comprising:

　　　a database which registers face data of a driver and identification information of a mobile communication device used by the driver for each of drivers;

　　　a driver identifying means which identifies current driver of a vehicle in the database by face recognition; and

　　　a mode switching means which extracts the identification information of the mobile communication device used by the driver identified by the driver identifying means and switches the mobile communication device of the driver to a drive mode using the identification information.

2. (Original) The device for telephone countermeasure during driving according to Claim 1, wherein the drive mode includes at least one of a message recording mode and a hands-free mode and the mode switching means switches the mobile communication device of the driver from a mode prior to the drive mode to the drive mode.

3. (Original) A device for telephone countermeasure during driving, comprising:

　　　a database which registers face data of a driver and identification information of a mobile communication device used by the driver for each of drivers; and

　　　a driver identifying means which identifies current driver of a vehicle in the database by face recognition,

　　　wherein the identification information of the mobile communication device used by the driver identified by the driver identifying means is extracted from the database, the mobile communication device of the driver is switched to a drive mode using the identification information, and the drive mode of the mobile communication device is released when the driver cannot be identified by the driver identifying means after the elapse of a predetermined time.

4. (Original) A method for telephone countermeasure during driving, using a database which registers face data of a driver and identification information of a mobile communication device used by the driver for each of drivers, and a driver identifying means which identifies current driver of a vehicle in the database by face recognition, the method comprising:

> extracting the identification information of the mobile communication device used by the driver identified by the driver identifying means from the database, and switching the mobile communication device of the driver to a drive mode using the identification information.

5. (Original) A method for telephone countermeasure during driving, using a database which registers face data of a driver and identification information of a mobile communication device used by the driver for each of drivers, and a driver identifying means which identifies current driver of a vehicle in the database by face recognition, the method comprising:

> extracting the identification information of the mobile communication device used by the driver identified by the driver identifying means from the database, switching the mobile communication device of the driver to a drive mode using the identification information, and releasing the drive mode of the mobile communication device when the driver cannot be identified by the driver identifying means.

6. (Previously Presented) The device for telephone countermeasure during driving according to Claim 1, wherein, when the mobile communication device of the driver is switched to the drive mode, the mobile communication device is set to a controlled state during driving.

7. (Previously Presented) The method for telephone countermeasure during driving according to Claim 4, wherein, when the mobile communication device of the driver is switched to the drive mode, the mobile communication device is set to a controlled state during driving.

8. (Currently Amended) [[A]]The device for telephone countermeasure during driving according to Claim 1, wherein, when face data of a driver which is recognized for face authentication does not exist in a database of the device, information for identifying a mobile telephone

corresponding to the recognized driver is examined in an external database using a wide area communication device, and the mobile telephone is set to a drive mode when the mobile telephone can be identified.

9. (Currently Amended) [[A]]The device for telephone countermeasure during driving according to Claim 1, wherein, when face data of a driver which is recognized for face authentication does not exist in a database of the device, information for identifying a mobile telephone corresponding to the recognized driver is examined in an external database using a wide area communication device, and information on the corresponding mobile telephone is requested to be registered when the mobile telephone cannot be identified.

10. (Currently Amended) [[A]]The device for telephone countermeasure during driving according to Claim 1, wherein, when face data of a driver recognized for face authentication does not exist in a database of the device, information for identifying a mobile telephone corresponding to the recognized driver is examined from an external database using a wide area communication device, and the mobile telephone is set to a controlled state during driving when the mobile telephone cannot be identified and information on the mobile telephone is not registered.

11. (Canceled).

12. (Canceled).

13. (Canceled).

14. (Canceled).

15. (Previously Presented) The device for telephone countermeasure during driving according to Claim 2, wherein, when the mobile communication device of the driver is switched to the drive mode, the mobile communication device is set to a controlled state during driving.

16. (Previously Presented) The device for telephone countermeasure during driving according to Claim 3, wherein, when the mobile communication device of the driver is switched to the drive mode, the mobile communication device is set to a controlled state during driving.

17. (Previously Presented) The method for telephone countermeasure during driving according to Claim 5, wherein, when the mobile communication device of the driver is switched to the drive mode, the mobile communication device is set to a controlled state during driving.